# NOTICE OF TYPE III **DEVELOPMENT REVIEW** APPLICATION, OPTIONAL SEPA DETERMINATION OF **NON-SIGNIFICANCE & PUBLIC HEARING**

Form DS1325



The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a Determination of Non-Significance (DNS) for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) - Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36,70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21,240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

### **Closing Date for Public Comments:** May 7, 2010

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3<sup>rd</sup> Floor, Vancouver, Washington.

The Clark County Hearings Examiner will conduct the public hearing on June 24, 2010 at 6:00 P.M., at Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680 (see attached map). The doors to the Public Service Center will open between 5:45 and 7 p.m. for those attending the hearing on this matter. Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.).

**Project Name:** 

POR RF

Case Number:

CUP2010-00002; PSR2010-00008; SEP2010-00016;

HAB2010-00013

Location:

5613 NW 289<sup>TH</sup> Avenue

Request: Conditional use and site plan approval for the construction of a

160' self support communications tower with associated antennas. The base station equipment will be located inside a fenced 40'x43' lease area. The project is located on 10 acres in

the R-5 zoning district.

Applicant: Verizon Wireless

5430 NE 122<sup>nd</sup> Avenue Portland. OR 97230

(503)408-3450; (503)408-3488 fax heather.campbell@verizonwireless.com

Contact Person: Urban Wireless Inc.

Shanin Prusia

10376 SE Sunburst Way Portland, OR 97086

(503)720-7295; (503)536-6808 fax <a href="mailto:shanin@urbanwirelessinc.com">shanin@urbanwirelessinc.com</a>

Property Owner: Harvey & Phyllis Reeder

5613 NW 289<sup>th</sup> Avenue Ridgefield, WA 98642

Zoning: R-5

Comp Plan Designation: R-5

Parcel Number(s): 213290-000

Township: 4N Range: 1E 1/4 of Section: SE and NE 1/4 of Sec 18

Applicable Code Sections: 40.200 (General); 40.210.020 (Rural Districts); 40.260.250 (Wireless Communications Facilities); 40.340.010 (Parking); 40.350.020 (Transportation Concurrency); 40.350.030 (Transportation Standards); 40.385 (Stormwater and Erosion Control); 40.500 (Procedures); 40.510.030 (Type III Process); 40.520.010 (Legal Lot Determination); 40.520.030 (Conditional Use); 40.520.040 (Site Plan Review); 40.570 (SEPA); 40.610 and 40.620 (Impact Fees); Title 15 (Fire Code); and Title 14 (Building)

### **Neighborhood Contact:**

Ridgefield Junction Neighborhood Association Dave Kelly 1360 S 38<sup>th</sup> Court Ridgefield, WA 98642 887-0750

E-mail: dkelly@pacifier.com

### Staff Contact Person:

Planner Name: Richard Daviau (360) 397-2375, ext. 4895;

E-mail: Richard.daviau@clark.wa.gov

# Please email SEPA comments to: Richard.daviau@clark.wa.gov

Note: If mailing comments, an accurate mailing address for those submitting comment must be included or they will <u>not qualify</u> as a "Party of Record" and, therefore, will not have standing to appeal the decision.

If written comments or documents are to be hand delivered, please submit them to the Public Service Center, 1<sup>st</sup> floor by **12 pm the day of the public hearing**.

**Responsible Official:** Michael V. Butts, Development Services Manager Public Service Center, Department of Community Development, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810

Application Filing date: March 18, 2010
Fully Complete Date: April 8, 2010
Date of this notice: April 22, 2010

### **SEPA Options:**

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- DS = Determination of Significance (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- MDNS = Mitigated Determination of Non-Significance (The impacts can be mitigated through conditions of approval); or,
- DNS = Determination of Non-Significance (The impacts can be addressed by applying the County Code).

### Timelines/Process:

Decisions on Type III applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

### **SEPA Appeal Process:**

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

A **procedural appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

- 1. The case number designated by the County and the name of the applicant;
- 2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
- 3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
- 4. A check for the appeal fee (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, at the address listed below.

The decision of the Hearing Examiner is final unless there is:

- A motion filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

### **ACCOMMODATION OF PHYSICAL IMPAIRMENTS**

The Public Service Center is wheelchair accessible. If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. **Voice** (360) 397-2000; **Relay** (800) 833-6384; **E-mail** ADA@clark.wa.gov.

## Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions): http://www.clark.wa.gov/commdev/active-landuseN.asp
- Pre-Application Conferences and Public Land Use Hearing Agendas: http://www.clark.wa.gov/commdev/agendasN.asp
- Applications and Information Handouts for each Type of Land Use Permit: http://www.clark.wa.gov/commdev/applicationsN.html

Phone: (360) 397-2375; Fax: (360) 397-2011 Web Page at: <u>http://www.clark.wa.gov</u>

### Attachments:

- Proposed project site/land division plan
- Map of property owners receiving notice

### **Agency Distribution:**

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:

U.S. Army Corps of Engineers - Enforcement Division

Tribes:

Cowlitz Indian Tribe Yakama Nation Chinook Tribe

State Agencies:

Department of Natural Resources (S.W. Region)

Department of Ecology

Department of Fish and Wildlife Department of Transportation

Regional Agencies:

Local Agencies:

Fort Vancouver Regional Library Southwest Clean Air Agency Vancouver-Clark Parks & Recreation

Clark County Department of Community Development

Development Services
Development Engineering

Fire Marshal

Clark County Health Department

Clark County Public Works Transportation Division

Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation

Special Purpose Agencies:

Fire Protection District - Clark County Fire

Clark Public Utilities

Clark Regional Wastewater District/City of Vancouver Water/Sewer

The Media

The Columbian The Oregonian The Reflector

Vancouver Business Journal

The Post Record

Other:

Applicant

Clark County Neighbors

Clark County Natural Resources Council

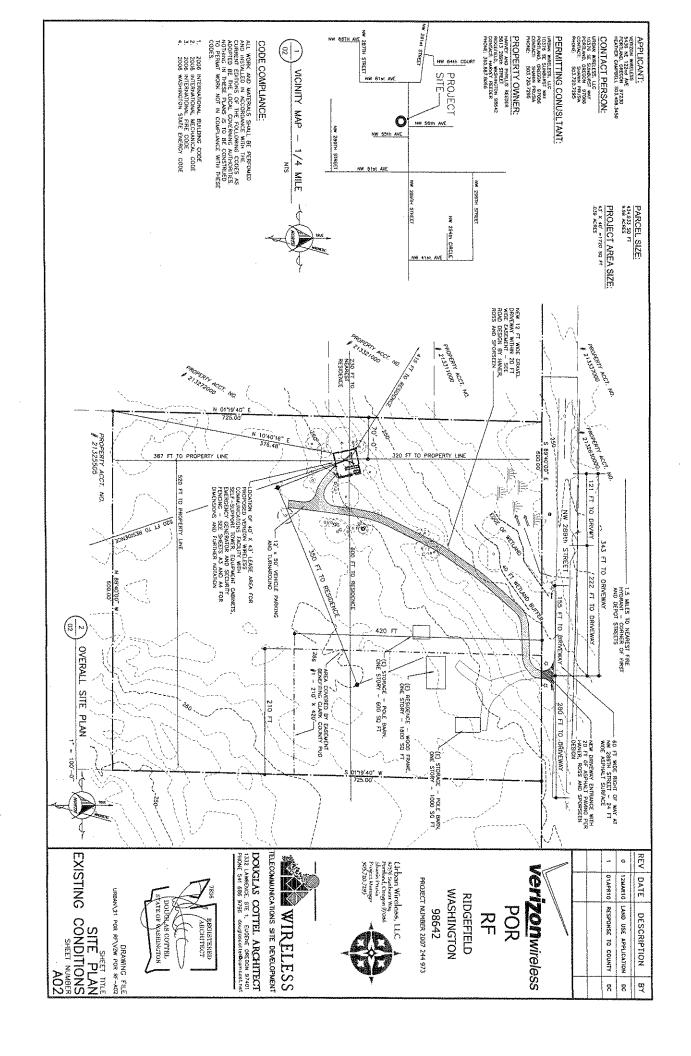
Clark County Citizens United

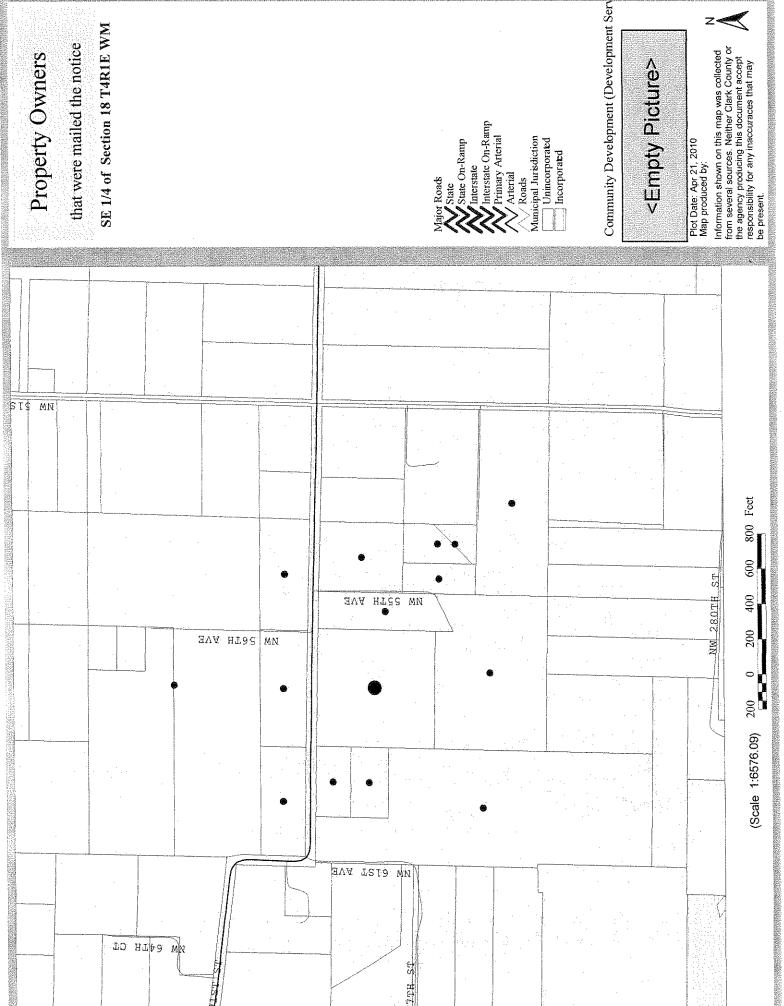
C-Tran

Ridgefield Junction Neighborhood Association

### Add Attachment for Agencies:

SEPA checklist





# Property Owners

### WAC 197-11-960 Environmental checklist.

### ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

- 1. Name of proposed project, if applicable: POR RF
- 2. Name of applicant: Verizon Wireless (VZW) LLC, d/b/a Verizon Wireless
- 3. Address and phone number of applicant and contact person:

Contact Person: Urban Wireless, Shanin Prusia, 10376 SE Sunburst Way, Portland, OR 97086 <a href="mailto:shanin@urbanwirelessinc.com">shanin@urbanwirelessinc.com</a>

Applicant: Verizon Wireless, 5430 NE 122<sup>nd</sup> Ave., Portland, OR 97230

- 4. Date checklist prepared: 3-16-10
- 5. Agency requesting checklist: Clark County
- 6. Proposed timing or schedule (including phasing, if applicable): As soon as needed permits & authorizations are obtained.
- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. None at this time.

- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. Habitat Determination, Clark County Wetland Determination Staff Report
- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. None at this time.
- 10. List any government approvals or permits that will be needed for your proposal, if known. Clark County Conditional Use Approval and Clark County Building Permit.
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) We propose to install a 160' self support communications tower with antennas/dishes and base station equipment cabinets. We also propose the installation of an emergency diesel generator in the fenced lease area.
- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

- B. ENVIRONMENTAL ELEMENTS
- 1. Earth
- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . .
- b. What is the steepest slope on the site (approximate percent slope)? The site is relatively flat, no discernible slope.
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. According to the Clark County GIS analysis, the soil classification for the site is "CvA and S1B, 100% parcel". The parcel is zoned Residential (R5), and there is no prime farmland on this site.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. None.
- Describe the purpose, type, and approximate quantities of any filling or grading proposed.
   Indicate source of fill. None.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. None.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? There will be a 4' x 24' concrete pad poured inside the fenced lease area. The rest of the proposed area will be gravel.
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any N/A no ground disturbance proposed beyond the installation of a gravel access road on flat land.
- 2. Air
- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. None.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. None.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: None.
- 3. Water
- a. Surface:
  - 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. None.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. **None.**
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. None.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. None.
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

  The proposed WCF site is not in a floodplain.
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. **None.**

### b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known. None.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. None.
- c. Water runoff (including stormwater):
  - Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
     Run off will be absorbed into the ground.
  - 2) Could waste materials enter ground or surface waters? If so, generally describe. None.
- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: None.

### 4. Plants

- a. Check or circle types of vegetation found on the site: The parcel is predominately native vegetation consisting of White Oaks, Evergreens, scrub brush and blackberry.
- b. What kind and amount of vegetation will be removed or altered? The access drive will be constructed in an area that is grass. The tower site is in an area of scrub brush, blackberry, and one less than three inch diameter white oak tree.
- c. List threatened or endangered species known to be on or near the site. None.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **None proposed.**

### 5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: songbirds (jays and chicadee's)

mammals: deer fish: none

- b. List any threatened or endangered species known to be on or near the site. None.
- c. Is the site part of a migration route? If so, explain. Unknown.
- d. Proposed measures to preserve or enhance wildlife, if any: None.

### 6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Site uses electrical power only.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. No.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: None.

### 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. There are no health hazards proposed that exceed the requirements of the FCC.
  - 1) Describe special emergency services that might be required. None.
  - 2) Proposed measures to reduce or control environmental health hazards, if any: None.

### b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **None.**
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. None.
- 3) Proposed measures to reduce or control noise impacts, if any: None.

### 8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Residential use on all sides.
- b. Has the site been used for agriculture? If so, describe. No.
- c. Describe any structures on the site. Residence and outbuildings.
- d. Will any structures be demolished? If so, what? No.

- e. What is the current zoning classification of the site? R-5
- f. What is the current comprehensive plan designation of the site? Residential.
- g. If applicable, what is the current shoreline master program designation of the site? None.
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

  None known.
- i. Approximately how many people would reside or work in the completed project? None.
- j. Approximately how many people would the completed project displace? None.
- k. Proposed measures to avoid or reduce displacement impacts, if any: None.
- Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Submitting CUP Application to Clark County.

### 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. None.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **None.**
- c. Proposed measures to reduce or control housing impacts, if any: None.

### 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? 160' self support lattice tower (steel).
- b. What views in the immediate vicinity would be altered or obstructed? None.
- c. Proposed measures to reduce or control aesthetic impacts, if any: Tower will be located in thick native vegetation which will reduce impacts of the base station. There are various tall evergreen trees reaching up to 90' in the area that provide natural screening.

### 11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? None. (FAA determination shows no lights required for this site)
- b. Could light or glare from the finished project be a safety hazard or interfere with views? No.
- c. What existing off-site sources of light or glare may affect your proposal? None.

d. Proposed measures to reduce or control light and glare impacts, if any: None.

### 12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? None.
- b. Would the proposed project displace any existing recreational uses? If so, describe. None.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **None.**

### 13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. **None.**
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. **None.**
- c. Proposed measures to reduce or control impacts, if any: None.

### 14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. A new access road is required on private property. All traffic will use the existing roadway system to this private residence.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? N/A unmanned WCF facility.
- c. How many parking spaces would the completed project have? How many would the project eliminate? N/A.
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private). None.
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. No.
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur. One vehicle trip per month for routine maintenance of the WCF equipment.
- g. Proposed measures to reduce or control transportation impacts, if any: None.

### 15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. No.

16. Utilities
a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. No modifications proposed.
C. SIGNATURE
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.
Signature: M. Shanin Prusia, Urban Wireless as Agent for Verizon Wireless  Date Submitted: 3/18/15
- Late file since the same and

b. Proposed measures to reduce or control direct impacts on public services, if any. None.